

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JUSTINO CRUZ ROSALES, LUIS DIAZ, and
CARLOS NAVARRO, individually and on
behalf of all others similarly situated,

Plaintiffs,

-against-

BKLYN LOCAL DRAFT LLC d/b/a THE
BROOKLYNEER, BILLY WAITE, and JUAN
GOMEZ,

Defendants.

24-CV-5572 (JGLC)

OPINION AND ORDER

JESSICA G. L. CLARKE, United States District Judge:

On May 16, 2025, Stephen D. Hans & Associates moved to withdraw as counsel of record for Defendants. ECF No. 48. The application is GRANTED. All discovery and deadlines in this case are HEREBY STAYED until June 13, 2025 to allow Defendants to retain new counsel. Defendants are reminded that an LLC may not proceed *pro se*. See *Lattanzio v. COMTA*, 481 F.3d 137, 140 (2d Cir. 2007); accord *United States ex rel. Calderon v. True Connect Direct*, No. 22-CV-4612 (LTS), 2022 WL 2971896, at *2 (S.D.N.Y. July 26, 2022) (“[A] limited liability company . . . cannot appear in federal court without an attorney.”). Accordingly, failure to retain counsel may result in default judgment against Defendant. See *Banco Popular North America v. Austin Bagel Company, L.L.C.*, No. 99-CV- 11252 (SAS), 2000 WL 669644 (S.D.N.Y. May 23, 2000) (default judgment entered against LLC which attempted to appear *pro se*).

Stephen D. Hans & Associates, P.C. is HEREBY ORDERED to serve this order to Defendants. The Clerk of Court is respectfully directed to terminate Stephen D. Hans & Associates, P.C., and, specifically, attorneys Stephen D. Hans and Nils C. Shillito, as counsel of

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record for defendants BKLYN Local Draft LLC, Billy Waite, and Juan Gomez. The Clerk of Court is also directed to terminate ECF No. 48.

Dated: May 21, 2025
New York, New York

SO ORDERED.

A handwritten signature in blue ink that reads "Jessica Clarke". The signature is fluid and cursive, with "Jessica" on top and "Clarke" on the line below it.

JESSICA G. L. CLARKE
United States District Judge